

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

AGERE SYSTEMS, INC., et al., :
 :
 : Plaintiffs, :
 :
 : v. : Civil Action No. 02-CV-3830
 :
 : ADVANCED ENVIRONMENTAL :
 : TECHNOLOGY CORPORATION, et al., :
 :
 : Defendants. :

ORDER

AND NOW, this day of , 2005, upon consideration of the Motion for Partial Summary Judgment of Defendant Ashland Inc., and any responses thereto, it is hereby **ORDERED** that Ashland's Motion for Partial Summary Judgment is **GRANTED** in its favor and against Plaintiffs on each Count of Plaintiffs' Fifth Amended Complaint and against Defendants on their cross-claims, deemed or otherwise, as to all claims and cross-claims against Ashland with respect to any waste other than nitrating acid waste allegedly generated by Ashland, including, but not limited to, dye waste, phthalide acid waste, CDN waste, drummed solvent waste, bulk solvent waste allegedly disposed of at the Boarhead Farm Site, which claims and cross-claims are hereby **DISMISSED**, with prejudice.

BY THE COURT:

Legrome D. Davis, U.S.D.J.